

State of Wisconsin \ Government Accountability Board

212 East Washington Avenue, 3rd Floor
Post Office Box 7984
Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE DAVID G. DEININGER
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

DATE: October 24, 2012

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Conclusion of the USDOJ MOVE Act Consent Decree Reporting Requirements

We have reached the conclusion of the U.S. Department of Justice (USDOJ) MOVE Act and the Federal Consent Decree Reporting Requirements for the August 14 Partisan Primary and the November 6 Presidential and General Election. I am writing on behalf of Director Kennedy and our entire Elections Division staff to extend our gratitude to municipal and county clerks for your assistance in serving our military and overseas voters in a timely and effective manner during this 2012 election cycle.

Not only is the Federal Government emphatic and serious about making sure that military and overseas voters are able to receive, mark and return their ballots in time in have them counted (ballot requests on file are required to be transmitted at least 45 days prior to a Federal Election), our Legislature and Governor, through the passage of Wisconsin Act 75 confirmed the State's commitment to our military and overseas voters as well by imposing a 47 day absentee ballot transit requirement.

The Federal Consent Decree required the circulation of eight separate reporting requirements leading up to the August Partisan Primary and the upcoming November Presidential and General Election. For six of those reports, the USDOJ required the G.A.B. to request information from all 1,851 municipal clerks while county clerks were required to report on ballot availability before each of these two elections.

We appreciate the timely attention that the vast majority of clerks paid to these reporting requirements. The gathering of this information is essential to ensuring that absentee ballot requests from military and overseas voters are honored in a timely fashion and those ballots are transmitted to those voters using the method that they requested. In addition to the hours that clerks spent reporting this information, G.A.B. staff spent over 1,500 hours following up with clerks who did not meet the specified deadlines, and with clerks who issued ballots after the required deadlines.

Summary

- For the August Partisan Primary, clerks reported that during the federal reporting period 2,953 voters requested absentee ballots from 529 municipalities. Unfortunately, 17 municipalities transmitted 40 ballots after the 45-day federal ballot transmission deadline, or not within one business day of receiving the request.

- In addition, 5,950 voters for the November Presidential and General Election requested ballots from 903 municipalities during the federal reporting time period, including 702 ballots that were issued through the new MyVoteWisconsin online absentee ballot delivery system. Of those 5,950 total requests, 26 municipalities transmitted 34 ballots to military and overseas voters after the 45-day federal ballot transmission deadline for the 2012 November Presidential and General Election.

Thank you for your attention to these reporting requirements during this busy election season. Your cooperation in providing this information allows the G.A.B. to confirm with USDOJ that absentee ballots transmitted to military and overseas voters in a timely fashion, while also providing the opportunity to intervene in situations where ballots were sent late.

If you have any questions about the information provided in this document, or about these reporting requirements in general, feel free to contact us by email at gab@wi.gov or by phone at 1-866-VOTEWIS or (608) 261-2028.

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board